

RUSSIANS ARE
TENACIOUSGained Some Advantage in
Yesterday's Struggle.

JAPANESE CONCENTRATING

For New Attack on Russian Centre,
But Active Fighting Has Been
at a Standstill for
Two Days.

St. Petersburg, Oct. 18.—Lieut. Gen. Sakharoff reports today:

"The Japanese yesterday evening attacked our right flank in considerable force, but were repulsed. We pushed forward and occupied portions of Shalantai. A number of corpses were buried at Putloff Hill. The enemy is now concentrating in large numbers against our centre. There was no fighting on our left yesterday."

It is worthy of note that this despatch makes no mention of a decided Russian success reported in a despatch from Mukden. The last clause of the despatch acts as a denial to the report that the Siberian regiments operating on the Russian left had yesterday captured 24 guns.

The general staff has received a telegram stating that the Russians on the 17th advanced and drove out the Japanese from six positions. The Russians captured 16 guns and eight maxims. The battle still rages.

MORE FIGHTING EXPECTED.

Japanese Look for Renewal of Conflict
Today.

Tokio, Oct. 18.—A despatch today reports that the Russians on Sunday surrounded Colonel Yamada's column and captured fourteen guns. Another great battle is expected today.

Wants 70,000 More Troops.

Rome, Oct. 18.—A Tokyo despatch states that Field Marshal Oyama has asked for 70,000 reinforcements.

RUSSIANS MORE HOPEFUL.

Gen. Kuropatkin Has Advanced His Center
and Recaptured Shakhe.

St. Petersburg, Oct. 18.—The news from the front is more reassuring from the Russian standpoint. The situation is still regarded as being critical, but General Kuropatkin is apparently holding the Japanese firmly on his center and right wing, even having recaptured the Shakhe river and while there are rumors of an extensive Japanese flanking movement both on the east and on the west, there is no evidence that they are actually occurring.

General Kuropatkin's left wing has been heard from. The Associated Press has the first connected account of the four days' fight in front of Tumin and Saitchoum passes resulting in the final withdrawal of the strong Russian column which had been sent to turn the Japanese right; though General Mischenko seems to have actually penetrated a considerable distance inside the Japanese line. The report of the operations of the Russian left wing is still three days old and since that time no news has been received from this column. The situation at this date may be described as follows:

General Kuropatkin has slightly advanced his center, recapturing Shakhe, south of the Shakhe river. Directly behind him at a distance of nine miles, lies the Hun river, and across the bridges spanning this stream the Russians must retire in case they retreat on Mukden. General Kuropatkin must continue to firmly hold his center and right flank in order to prevent the Japanese getting possession of the Hun river bridges. Thus he will cover the withdrawal of his apparently west wing.

There is still uncertainty as to the disposition of this left column. Certainly it has not returned to Mukden; whether it is advancing after its first withdrawal is not known.

It is no longer a question of a Russian Sedan, though all hope of relieving Port Arthur must apparently be abandoned. Little hope is expressed that Kuropatkin will be able to continue to advance.

The four days' fight of the eastern column was of the same desperate character that marked the operations of the center and right wing. A heavy Russian column under such leaders as Ivanoff, Rennenkampf, Gergross and Kondratovich repeatedly assaulted strongly entrenched Japanese positions on heights commanding the passes. The assaults were largely night work. The rammade was so furious that it was impossible to advance in the light of day. Finally on October 13 when the passes had been actually occupied, came the order to withdraw, probably owing to a critical position at other parts of the front. Here the story of the operations of the eastern wing of the Russian army ends.

Vice Admiral Rojestvensky has been appointed adjutant to the Emperor. Gen. Gripenberg, who has arrived at St. Petersburg, will go to the front ten days hence to assume command of the second Manchurian army.

Wednesday evening there will be a "Parish Social" given by the Ladies' Aid Society in the church vestry of the Congregational church. Admission free, and not only so, but a cordial invitation is extended to all the families of the parish to attend.

CRIME OF DRUNKEN FIEND.

Fatally Wounded His Wife and Later
Killed a Policeman.

Brookline, Mass., Oct. 17.—Crazed, the police say, by drink, Harry Bowles, aged 35 years, tonight shot and fatally wounded his wife at their home and later killed Patrolman Joseph McMurray.

After shooting his wife, Bowles barricaded the house. The policeman had broken in a panel of the front door when he was killed. Later a squad of policemen forced an entrance and after a struggle secured Bowles.

Patrolman McMurray was 43 years old and left a wife and seven children. He had performed many heroic acts during his 11 years service on the police force.

Boston, Oct. 18.—Bowles was brought into court today and arraigned on the charge of murder in the first degree. He pleaded guilty, but the lower court has no power to accept such a plea in a capital case. After consultation with counsel Judge Perkins held Bowles without bail for a further examination on Saturday.

U. S. CIRCUIT COURT.

Opened at Rutland This Forenoon—
Judge Hoyt H. Wheeler Presides.

Rutland, Oct. 18.—The session of the United States circuit and district courts began at the federal building in this city this morning at 11 o'clock. Judge Hoyt H. Wheeler is on the bench. The greater part of the session today was devoted to the formalities of opening. There is much interest in this session and there was a good attendance when court opened. There are a few cases to be tried. There are enough Chinese cases, as the result of the many arrests which have been made by the deputy marshals recently, to keep the court busy for several days in addition to the other cases.

THIRTY-FIVE TON ROCK
FELL ON QUARRYMANJohn Kouskinné of Fowler Crushed to a
Jelly in Accident at Raleigh
Quarries Yesterday.

Rutland, Oct. 18.—John Kouskinné, a quarryman, was killed at the Raleigh quarries in Fowler yesterday afternoon. A block of marble weighing 35 tons fell on him and crushed him to a jelly and beyond all recognition.

The funeral was held this forenoon.

CRIMINALLY NEGLIGENT.

Two Express Employees Held for Causing
the Recent Melrose Disaster.

Cambridge, Mass., Oct. 17.—Roy E. Fenton, driver of the express wagon from which the dynamite fell and Perry C. Hawkins, formerly of the Eastman Express company, are held for being criminally negligent in the case of the electric car explosion at Melrose last month when nine persons were killed as a result of the car striking a box of dynamite. Such is the report of Judge Swetser of the Malden district court, who conducted the inquest into the accident. The judge finds that Fenton and Hawkins were negligent in allowing such a large quantity of dynamite to be carelessly transported through the streets.

CHEMICAL WORKS BURNED.

Fire at Concord Causes a Loss of Several
Thousand Dollars.

St. Johnsbury, Oct. 17.—The Northern Chemical works at Concord was burned to the ground early this afternoon. The property was insured for \$1,500, which does not cover the loss. The plant was established about a year ago by two Lyndonville boys, Norton and Ben Lyster, and produced wood alcohol and creosote and similar products. The company had already got a good trade and were about to engage in a manufacture of charcoal on a larger scale.

BOUND OVER TO GRAND JURY.

Giovanni Viscome to Answer to Charge
of Shooting Francisco Philippi.

St. Albans, Oct. 18.—Giovanni Viscome, who was arraigned before Justice of the Peace C. H. Reynolds of Swanton in the jail office in this city yesterday morning on a continuance of the preliminary hearing on the charge of having shot Francisco Philippi to death at Swanton Junction Sunday, October 9, was bound over to await the action of the grand jury, bail being fixed in the sum of \$1,000.

JUMPED FROM BRIDGE.

Striking on Rocks One Hundred and
Twenty-Five Feet Below.

New York, Oct. 18.—Paul Goddard, a distinguished Frenchman, leaped from the new Williamsburg bridge his jumping to a horrible death on the cobblestones of the street below. He fell 125 feet and landed on his knees, the upper part of his legs being driven into his body. There were no marks on his head or face when he was picked up. No cause for the deed is known. Goddard comes of a famous French family, distinguished in statesmanship and war.

NEGRO SHOT IN TRACKS.

Had Opened Fire on Officers Killing One
and Wounding Two Others.

Memphis, Tenn., Oct. 17.—In a battle today between three police officers and a negro fugitive two men were killed and two injured. The dead are a police officer and the negro, the injured, a police captain and a patrolman. The officers were sent to arrest John Pope who was regarded as a dangerous fugitive from justice. The negro armed with a rifle ran and upon being pursued by the officers opened fire, the officers returning the fire, killing Pope in his tracks.

DRUGGISTS
IN LIMBORutland Holders of Fifth Class
Licenses

SOLD LIQUOR TO EVERYONE

Whether They Had Prescription or
Not—Spotter Visits All
Places and Buys
Liquor.

Rutland, Oct. 18.—In the hearing before the Board of License Commissioners today on the cases of John Dugan, Michael Dugan, T. A. Clifford, and J. J. Prindall, all holders of fifth class liquor licenses, several witnesses testified, among them well known citizens who stated that they had purchased liquor with no difficulty in all places and were never asked questions or for prescriptions. Among the witnesses was one spotter who visited all the places.

DRUGGISTS SUMMONED.

Holders of Fifth Class Licenses in Rutland
Charged With Illegal Selling.

Rutland, Oct. 17.—Holders of fifth class liquor licenses in this city received a shake up today when summonses were served on them ordering them to appear before the board of license commissioners and show cause why their licenses should not be revoked. In the summons it is alleged that they have sold liquor contrary to law, kept screens, blinds, curtains and partitions in their places of business and had not kept proper records of the transactions.

The men on whom the summonses were served were: Michael Dugan, Timothy Clifford, Dr. J. J. Trindle and John Dugan and they were ordered to appear before the board at two o'clock this afternoon. The only one that obeyed the summons was Michael Dugan, who was represented by an attorney. The board adjourned the hearing until nine o'clock tomorrow morning.

This move has caused consternation among the men and no liquor could be purchased in this place tonight.

MANY BANKRUPTS.

Four Petitions Filed at the Clerk's Office
in Burlington Yesterday.

Burlington, Oct. 18.—Four petitions in voluntary bankruptcy were filed at the district court clerk's office in Burlington today by the following people:

John Miles of Albany, a farmer. Liabilities \$1004.66, assets \$671.50, all exempt.

Bart Newert of Barre. Liabilities \$582, assets \$60, all exempt.

Clinton L. Ball of St. Johnsbury, a brass turner. Liabilities \$295.50, assets \$80, all exempt.

John H. Reed of Enosburgh, a farmer and laborer. Liabilities \$3840, assets \$15.

RIFLE TEAM OFF.

Members of Company E Who Will Shoot
for Trophy.

The fifteen members of Company E, V. N. G., of this city composing the team which will defend the centennial trophy cup at the rifle shoot at Fort Ethan Allen left this morning on the 8:35 train for the Fort. The team which is composed of twelve men and three substitutes is made up of the following privates and officers: Captain P. J. Rogers; First Sergeant W. R. Milne; Sergeants James R. Milne, James Sullivan, James Kesson, Charles Wilson, Ira Wright; Corporals William Dudley, Rufus Clout; Privates James McEligue, Francis Gibbons, Fred Gamble, James Cordner, George Taylor, Mahlon White.

This team will shoot to defend the centennial trophy cup. The competition will last three days and there will be a team from each of the twelve companies in the state in the contest. There will be a medal awarded to the officer or private who makes the highest total score at 200, 300 or 500 yards. This medal is given by the National Rifle association of America. In addition to the above there will be a purse of \$25 given to the team making the second highest score in the centennial trophy competition.

COCHI NOT HELD.

Not Evidence Enough on Charge of As-
sault With Intent to Kill.

The case of Peter Cochi who was arrested last week on a warrant for alleged breach of peace and the complaint against whom was later changed to that of assault with intent to kill and murder, was heard before Judge Fay in city court yesterday afternoon. Several witnesses for the prosecution were heard and from the evidence that they gave Judge Fay ruled that it was not strong enough to hold Cochi on the latter charge and released him.

The case of Sartorelli, for alleged breach of peace in the same affair, was continued until next week.

Middlebury Won 15 to 0.

Middlebury, Oct. 17.—Middlebury College won her first home game today by defeating St. Lawrence by a score of 15 to 0. The game was hotly contested and was a victory of straightforward, old-fashioned football. After the wretched defeat by Norwich on Saturday Middlebury surprised her supporters by running up a larger score than the University of Vermont did against St. Lawrence Saturday.

SEN. PROCTOR
RE-ELECTEDFor Another Six Year Term
in United States Senate.

EMPLOYERS LIABILITY BILL

Introduced in Legislature Today—An-
other Bill Gets After the Trading
Stamp and a Third Affects
the Barbers.

Montpelier, Oct. 18.—United States Senator Redfield Proctor was this afternoon re-elected to succeed himself for a term of six years following March 4, 1905, in the legislature. The election in the Senate occurred shortly after 2 o'clock, the nominating speech being made by Fletcher of Cavendish, and in the House by Clark of Fitch. Brattleboro, the nomination being seconded by John Lewis of Troy, Charles Downer of Sharon and others.

The Democrats put forward John H. Senter, as the minority candidate, Geo. H. Pape of Barre making the nominating speech.

The vote in the Senate was unanimous for Proctor.

Bills Introduced.

Among the important bills introduced today was one, presented by Mr. Smith of Rutland City, relating to the responsibility of employer to employees. By request of Mr. Smith the bill was referred to the general committee, of which Mr. Pape of Barre city is chairman. The important provisions of the bill are:

Provides for reparation in case of personal injury while in the exercise of duty care, by reason of defect in condition of ways, works or machinery connected with employer's business arising from negligence on part of employer or specially instructed employee, in seeing that the same is in proper condition; a car used by a railroad corporation shall be regarded as part of the ways and means herein mentioned. If injury results in death, not instantaneous or preceded by conscious suffering, action may be brought to recover damages for the death in addition to those for injury. If death results instantaneously by reason of negligence of the employee himself, or of a person for whose negligence an employer is responsible under section one of this act, his widow or next of kin dependent on him for support may bring action against the employer. Damages to be assessed with reference to degree of culpability; not to exceed \$4000 for personal injury, and not to exceed \$5000 for both injury and death. The amount of damages awarded in case of instant death to be not less than \$500 nor more than \$5000. Sixty days notice to be given to employer and action to be commenced within a year, such notice to be signed by the person injured or by a person in his behalf. Notice not to be held invalid because of inaccuracy unless intention to mislead can be shown. Previous knowledge of a defect or negligence which caused injury, or failure to give due notice of such defect to employer, invalidates any action for damages. An employer contributing to an insurance fund for mutual benefit of employees may prove in mitigation, such proportion of benefit contributed by him for the employee.

Mr. Martin of Montgomery would prohibit marriages of minors under 18 years of age, without order from the court. Mr. Trumbull of Pawlet introduced a bill relating to the extension of the Whitehall & Granville R. R. in the state of Vermont.

Mr. Eddy of Stowe introduced an act to regulate the practice of barbering, to establish a state board of barber examiners and to provide for sanitary inspection of barber shops.

The governor shall appoint a board of barber examiners consisting of three members, two of them master barbers, who shall serve six years, their terms expiring alternately each two years.

Examiners shall receive \$4 per day compensation, to be paid from funds in hands of board treasurer.

Examiners shall secure enforcement of his act and shall report biennially to the governor. Expense incurred by this act shall not exceed \$100 per annum the amount received for licenses and certificates by the board.

Board shall organize and shall report to state treasurer Jan. 1st annually the receipts and disbursements. Any balance shall be covered into the state treasury. Board treasurer shall give bond of \$3000. No person shall hereafter practice occupation of barbering in state unless he shall have first received a certificate of qualification from the board of examiners. Certificates shall be issued after regular examination of applicants. Each master barber applying for certificate shall pay the board treasurer \$5; journeyman \$2; to be refunded if applicant does not pass; to be retained if certificate is granted, and the same fees shall be paid each year thereafter for licenses to practice barbering.

Person now engaged in barbering shall be granted certificates without examination, on application, on payment of certificate fee, but shall pay annual license fee.

Board shall furnish certificate when deserved which shall be posted in shop.

Barbers shall also post a set of rules prescribed regulating the conduct of their business and to insure sanitary conditions in shaving. The board may revoke certificates in case rules are not followed, after due hearing.

Board may call attention of state or local board of health to unsanitary con-

dition of barber shops and latter may declare same a nuisance.

Penalty of fine not less than \$5 nor more than \$50 or imprisonment 30 days, to six months or both for violation. Referred to joint committee on public health.

A bill was introduced by Representative Sherburne of Pomfret today, entitled "To promote safety on the highways." It makes automobilists responsible for all damages caused. Representative Porter of Whitingham introduced a bill to compel all towns to maintain a high school or furnish such instruction.

In the Senate.

In the Senate the trading stamp nuisance was attacked by the introduction of a bill by Senator Simpson of Caledonia. It is called an excise stamp law. Every person or firm selling trading stamps shall pay an excise tax for carrying on such business equal to three per cent of the gross receipts from the sale of such stamps, checks, coupons, or articles sold, given or delivered therewith. Returns of business must be made to town in which business is carried on each year, and the tax shall be collected by the town. The penalty for failure to make such return is not more than \$10.

Senator Lord of Washington county introduced a bill relating to the investment of trust money by a town; Senator Prouty of Orleans changing penalty for failure to return inventory of stock of not more than \$5,000, instead of \$5,000 without discretion; Senator Rowland of Rutland providing that upon written application of 20 voters all town officers shall be elected by ballot, upon one ticket and plurality shall elect.

Yesterday Afternoon.

A bill relating to debtors was introduced in the House by Mr. Corser of Putney, to provide an equitable process after judgment in certain cases. Clerk of any county or municipal court or any justice of the peace by whom a judgment is rendered shall, upon application of judgment creditor, accompanied by affidavit that judgment is founded upon claim for necessities of life, issue notice to judgment debtor to appear before said court to show cause why examination into his circumstances and ability to discharge the judgment should not be made. Court shall first determine whether judgment was actually for necessities of life. If it so finds, it shall proceed to inquire into ability of debtor to meet the judgment, in full or by partial payments. If it finds him able, it shall order payment and the manner thereof. If the debtor fails to obey this order, and unless he can show adequate cause therefor, the court may declare that unless he complies within a specified time he shall be held in contempt. If he still fails, he may accordingly be held in contempt and imprisoned not for more than fourteen days. Liberal discretion is allowed the court to mitigate the full penalty, if circumstances arise that make it seem advisable. Judgment debtors may themselves apply for the benefit of this act. Proceedings under this act shall supersede all other proceedings for the collection of debts. Provision is made for division by court order of payment made under this proceeding among different judgment creditors.

In the Senate favorable reports were given on the Senate bills abolishing the bounty on noxious animals, on collection of taxes in cities and incorporated villages, providing for licenses for non-resident hunters of deer, with amendments as follows: License bill changed from \$10 to \$15. Person may kill one deer with horns not less than 3 inches long instead of one buck deer. Other minor amendments as to operation of the law. Senators Wells, Isham, Lord and Carpenter carried the committee as to killing of does and as to amount of damage done by deer. Sen. Pierce, Franklin, of the committee explained that the committee hoped the provision relative to length of horns would save some does and that the damage really done by deer and reported to the officials was about \$45, and that a fund of \$1,000 is at the service of the fish and game commissioners for the payment of such damages.

LEGISLATIVE NOTES.

The right of appeal by persons aggrieved from a decision of selectmen in awarding land for school purposes is the subject of the bill introduced by Mr. Darling of Chelsea and passed by the House yesterday.

If the bill presented by Mr. Bentley of Sandgate goes through every package or receptacle containing medicines must be provided with a label showing the formula and percentage of each ingredient. The penalty ranges from \$50 to \$200.

Two of Senator Lord's bills went through the Senate yesterday afternoon and that after Senator Lord's attempt to adjourn. The bills relate to giving notice to absent defendants and making husband and wife competent witnesses.

"Morrill Agricultural Hall" is proposed to be erected on the state university grounds at Burlington, in memory of the late Senator J. S. Morrill. A bill with a \$60,000 appropriation providing for it, was presented in the House yesterday afternoon by Representative Bullard of Burlington.

By resolution introduced by Senator Wells and adopted by the Senate the election of supreme court judges, superintendent of education, sergeant-at-arms, adjutant, and inspector general and three trustees of the University of Vermont and State Agricultural college will be held Thursday afternoon at 2:30 o'clock.

GODDARD BEATEN.

Score Was 41 to 0 in Favor of K. U. A.

The Goddard seminary football team was defeated at Meriden, N. H., yesterday by a score of 41 to 0. Kimball Union Academy was the victorious team.

WOODMEN'S
FAIR OPENSHale's Pavilion a Pleasant
Place to Visit.

NICE BOOTHS, GOOD MUSIC

And Pleading Entertainments All Help
to Make the Fair a Pronounced
Success—A Good
Attendance.

The degree team of the Modern Woodmen of America opened their week's fair in Hale's pavilion last evening and it promises to be a most successful one. The attendance last evening though not large was very good considering the other attractions in the city.

The Woodmen have put hard work in to the arrangements for the fair and have left nothing undone in the way of pleasure and attractions for the people. Without doubt the hall never has appeared more attractive than last evening with its decorations of Japanese lanterns, national bunting and mirrors and beautifully trimmed booths, which entirely hide the bare walls of the hall and give it a very comfortable and attractive appearance. The decorations were in charge of Charles Kenyon who was assisted by the members of the team. On entering the hall the first booth which appears is a beautiful rustic bower where ice cream and cake are served. This booth is made of white birch for its frame work and is covered over with evergreen and cedar boughs. Across the front of the booth are the letters M. W. A., constructed out of the same white birch wood. It is a very unique booth and the ladies who have charge of it are Mrs. W. F. Gilbertson, Mrs. William McKelvey, Miss Victoria Ely and Miss Elizabeth McKelvey. The next booth on the right side of the hall is a very attractive booth where fancy articles are sold by Mrs. John Rowley and Mrs. M. J. Marrior.

In the corner by the stage is the sweet meat booth trimmed in pink and white crepe. This booth is in charge of Miss Cecelia Frenier and Miss Alta Northrop. Across the hall in the opposite corner is a similar booth where lemonade and punch are sold by Miss Clara Laranger. The next and last booth is devoted to the articles which are to be drawn, consisting of a handsome combination and writing desk and book case, a lady's leather upholstered rocker, an oak center table and an oak rocker and several smaller articles besides.

A very interesting programme has been arranged for each evening and for the dancing which is always one of the chief features of a fair. Gilbertson's orchestra of nine pieces will furnish the music, which is a treat in itself and makes a most pleasing inducement for the dancers.

The programme given last evening was a very enjoyable one and was as follows: Selection by the orchestra, cello solo by Lyle Perry, dialect reading by Dr. F. M. Lynde, vocal solo by Miss Emma Phillips. The different committees of the Woodmen who have charge of the fair are as follows: Hall committee, Arthur Gravelin, O. D. Cyr, Edward Anderson; entertainment committee, Wilfred Marrior, Gilbert Phillips, Robert Kerr; decorating committee, Charles Kenyon; contest committee, Arthur Gravelin, O. D. Cyr, Edward Anderson; floor managers, Wilfred Marrior, Thomas McDonald, Roy Livingston, Alton Marrior; printing committee, Alfred Robertson, Gilbert Phillips, George Mills, Thomas Dobie.

The officers of the degree team are President, Alfred Robertson; secretary, O. D. Cyr; financial secretary, Charles Kenyon; treasurer, Gilbert Phillips.

CAUGHT BETWEEN TWO STONES.

Michael Doyle Has Narrow Escape From
Serious Injury.

Michael Doyle who is employed at Marr & Gordon's stone shed had a narrow escape from serious injury this morning while at work propping up a large stone. The props flew out and the stone fell over pinning Doyle against another stone. His right side and hip were badly bruised but no bones were broken. He was taken to his home at the corner of Maple Ave. and Summer street, in Frenier's ambulance. Dr. McSweeney was called to attend him and stated that if no internal injuries developed he would soon come out of it all right.

Clansmen Entertained.

Clan Gordon held a very enthusiastic meeting last night at which the new initiatory staff initiated a candidate in fine style. The marching of the staff and piping of Clansman Tom McDonald was a very taking feature. After the business Clansman Wm. Barclay, Jr., gave an entertainment on the phonograph, which was much appreciated by the Clansmen. Clansman Barclay will appear again at the meetings during the winter with a new set of records each time.

Looking for Club Rooms.

The Young Men's Club of Barre has been permanently formed and the executive committee, of the Young Men's Club and of the Boys' Club have made arrangements so that the Y. M. C. boys will use the Boys' Club gymnasium on Tuesday, Wednesday, Friday and Saturday nights. The Y. M. C. committee is now working to secure suitable rooms for the club quarters.